

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

DEBRA LEONARD,

Plaintiff,

v.

**ENCORE CAPITAL GROUP, INC., MIDLAND
FUNDING LLC, MIDLAND CREDIT
MANAGEMENT, INC., NANCY KOHLS and
FINKELSTEIN, KERN, STEINBERG &
CUNNINGHAM, P.C.,**

Defendants.

**CIVIL ACTION NO.
2:12-cv-00121**

JOINT RULE 26(f) CONFERENCE REPORT AND DISCOVERY PLAN

Plaintiff and Defendants submit this Joint Rule 26(f) Conference Report and Discovery Plan. The counsel identified below participated in the discovery conference required by Fed. R. Civ. P. 26(f) on June 28, 2012 and agreed to the following:

1. **Settlement.** At this point in the case, it is too early to determine whether settlement is likely; however, the parties agree to hold open the option of mediation of this matter.

2. **Pre-Discovery Disclosures.** All pre-discovery disclosures required by Rule 26(a)(1) shall be completed on or before **July 12, 2012**.

3. **Discovery Plan and Disclosures.**

(a) The parties expect all discovery including depositions to be commenced in sufficient time to be completed within the time frames set forth in the Scheduling Order issued by the Court.

(b) Discovery will be needed on all issues presented by this case, namely the Plaintiff's theories of liability and damages and on the Defendants' defenses. Discovery shall be completed in accordance with the Court's Scheduling Order and/or Rule 26.

(c) The parties agree that all discovery matters will be governed by the Federal Rules of Civil Procedure and the Local Rules of the Eastern District of Tennessee.

(d) At this time the parties have not yet determined whether expert witnesses will be needed. If either party does determine expert witnesses are needed, reports and disclosures from such experts shall be made in accordance with Rule 26(a)(2) of the Federal Rules of Civil Procedure.

4. **E-Discovery.**

(a) The parties may be requested to disclose or produce information from electronic or computer based media, but the parties believe that disclosure or production will be limited to data reasonably available to the parties in the ordinary course of business.

(b) If the data is identified by the parties as not reasonably accessible because of undue burden or cost, the parties shall be allowed under Rule (26)(b)(2)(B) to file a motion to compel discovery or for a protective order.

(c) The format and media of the data disclosed or produced must be in a form that is reasonably accessible and usable or the parties must translate it into a reasonably accessible and usable form.

(d) Reasonable measures have been taken by the parties to preserve potentially discoverable data (as described above) from alteration or destruction in the ordinary course of business or otherwise.

(e) There are currently no other problems that the parties anticipate may arise in connection with electronic or computer based discovery.

5. **Dispositive Motions.** The parties see no need for a change to the Court's deadlines with respect to dispositive motions.

6. **Trial.** The parties anticipate that trial of this case will take no more than 3 days, including jury selection and seating.

Respectfully submitted,

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